

1 KURT E. WILSON, ESQ. (121163)  
 2 TREVOR J. ZINK, ESQ. (218860)  
**SWEENEY, MASON, WILSON & BOSOMWORTH**  
 A Professional Law Corporation  
 3 983 University Avenue, Suite 104C  
 Los Gatos, CA 95032-7637  
 4 Telephone: (408) 356-3000  
 Facsimile: (408) 354-8839  
 5

6 Attorneys for Defendants  
 DOUG KENNEDY and  
 7 REVERB COMMUNICATIONS, INC.

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 ACTIVISION PUBLISHING, INC.,

12 Plaintiff,

13 v.

14 JOHN TAM, an individual, JAMIE  
 YANG, an individual, COREY FONG,  
 15 an individual, DOUG KENNEDY, an  
 individual, HONG LIP YOW, an  
 16 individual, RAYMOND YOW, an  
 individual, REVERB  
 17 COMMUNICATIONS, INC., a  
 California corporation, THE ANT  
 18 COMMANDOS, INC., a California  
 corporation.  
 19

20 Defendants.

CASE NO. C 07-3536 MEJ

**REDACTED DECLARATION OF DOUG  
 KENNEDY IN OPPOSITION TO  
 MOTION FOR ORDER FOR  
 DETERMINATION OF GOOD FAITH  
 SETTLEMENT BETWEEN PLAINTIFF  
 AND DEFENDANTS JOHN TAM,  
 COREY FONG, AND JAIME YANG**

**Date: August 30, 2007**

**Time: 1:30 p.m.**

**Dept.:**

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 I, DOUG KENNEDY, hereby state and declare as follows:

2 1. I am an individual residing in Tuolumne County, California, an employee  
3 of Reverb Communications, Inc., and a defendant in the within action.

4 2. The Reverb Communications, Inc. and I have never been in possession of  
5 any demo containing any Activision confidential or trade secret information.

6 3. Reverb had no connection to any of the steps taken to establish  
7 Hourglass/Lodestone.

8 4. Everything I did in further of Hourglass/Lodestone was done as an agent of  
9 the Ant Commandos Defendants. In fact, The Ant Commandos informed me that its  
10 directors named me to The Ant Commandos' board of directors in January 2007.

11 5. After The Ant Commandos settled with Activision, Raymond Yow  
12 informed me that Activision requested that the Ant Commandos Defendants make false  
13 statements for use against the Reverb and me.

14 6. [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]

20 I declare that the above facts are true and correct and are within my personal  
21 knowledge and if sworn to testify herein, I could and would competently testify thereto  
22 under penalty of perjury under the laws of the State of California.

23 Executed on August 9, 2007, at Tuolumne, California.

24 

25 Doug Kennedy  
26  
27  
28